

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA,

NO. CR. S-04-0118 LKK

Plaintiff,

v.

ORDER

ROBERT OLIVER, DAVID HARRISON,
AND ROBERT HODGES,

Defendants.

In order for the court to adequately prepare for trial, the court hereby ORDERS as follows:

A. TRIAL BRIEFS

The Government shall file, and the defendant may file with the court **five (5) court days** prior to trial a brief setting forth:

- (1) a short statement of facts;
- (2) a summary of points of law, including reasonably anticipated disputes concerning admissibility of evidence, legal arguments, any other information the parties believe is relevant to the court, and citations of authority in support thereof.

B. PROPOSED JURY INSTRUCTIONS

Counsel are informed that the court has prepared a set of standard jury instructions. In general, they cover all aspects of the trial except those relating to the charges contained in the

1 charging document. Accordingly, counsel need not prepare instructions concerning matters within
2 the scope of the prepared instructions. A copy of the prepared instructions has been provided to the
3 parties at the trial confirmation hearing. Counsel are further directed that their specific jury
4 instructions shall be filed **seven (7) court days** prior to the date of trial. As to any instructions
5 counsel desire to offer, they shall be prepared in accordance with the following requirements:

6 Two copies of the instructions shall be submitted. One copy shall be electronically
7 filed as a .pdf document and shall contain each instruction on a separate page,
8 numbered and identified as to the party presenting it. Each instruction shall cite the
9 decision, statute, ordinance, regulation or other authority supporting the proposition
10 stated in the instruction.” The second copy (“jury copy”) shall be submitted by e-
11 mail to lkorders@caed.uscourts.gov.

12 **C. PROPOSED VERDICT FORM AND VOIR DIRE QUESTIONS**

13 In addition, the Government shall provide copies of proposed forms of verdict. The parties
14 may file proposed voir dire questions (**seven court days prior to trial**).

15 **D. MOTIONS IN LIMINE**

16 The parties are ordered to file with the court motions in limine, if any, **seven (7) court days**
17 prior to trial. The motions shall contain a plain, concise summary of any reasonably anticipated
18 disputes concerning admissibility of evidence, including but not limited to, live and deposition
19 testimony, physical and demonstrative evidence and the use of special technology at trial, including
20 computer animation, video discs, and other high technology. Any opposition briefs to the motions
21 in limine shall be filed **five (5) court days** prior to trial. Unless otherwise noted, the court shall
22 resolve the motions in limine on the first day of trial.

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1 **E. EXHIBIT AND WITNESS LISTS**

2 The Government shall file exhibit and witness lists with the court **five (5) court days** prior
3 to trial. A violation of this order may result in the imposition of sanctions including, but not limited
4 to, monetary sanctions, the exclusion of evidence, or the striking of testimony or documents.
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6 IT IS SO ORDERED.

7 DATED: October 23, 2007

/s/ Lawrence K. Karlton
Lawrence K. Karlton
Senior Judge
United States District Court